

# CONSUMER ACTION NETWORK RECEIVED

*Of, By and For Deaf and Hard of Hearing Americans*

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OCT 18 1996

Federal Communications Commission  
Office of Secretary

October 18, 1996

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street NW  
Washington, DC 20554

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Dear Mr. Caton:

The Consumer Action Network (CAN) submits these comments to the Federal Communications Commission on the issue of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems. CAN, a coalition of 19 national organizations of, by, and for deaf and hard of hearing people, addresses advocacy and legislative issues important to our constituency. Such issues include protecting the rights of deaf and hard of hearing persons, improving quality of life, empowering consumer leadership and self-representation, and ensuring equal access to education, employment, communication, technology, and community life.

CAN thanks the Federal Communications Commission for its commitment to technology access for all Americans.

Respectfully submitted,



Barbara Raimondo, J.D.  
Legislative Consultant

Enclosures

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REGULAR MEMBERS: American Association of the Deaf-Blind • American Athletic Association of the Deaf • American Society for Deaf Children • Association of Late Deafened Adults • Deaf Women United, Inc. • Gallaudet University Alumni Association • National Association of the Deaf • National Black Deaf Advocates • National Congress of Jewish Deaf • National Fraternal Society of the Deaf • National Hispanic Council of Deaf and Hard of Hearing People • Telecommunications for the Deaf, Inc. AFFILIATE MEMBERS: Association of College Educators: Deaf and Hard of Hearing • American Deafness and Rehabilitation Association • Convention of American Instructors of the Deaf • The Caption Center • Conference of Educational Administrators Serving the Deaf, Inc. • National Captioning Institute • Registry of Interpreters for the Deaf, Inc.

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

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**OCT 18 1996**

Federal Communications Commission  
Office of Secretary

In the Matter of

Revision of the Commission's  
Rules to Ensure Compatibility  
with Enhanced 911 Emergency  
Calling Systems

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CCDocket No. 94-102

**Reply Comments on the  
Petitions for Reconsideration**

Barbara Raimondo  
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October 18, 1996

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Revision of the Commission's	)	
Rules to Ensure Compatibility	)	CCDocket No. 94-102
with Enhanced 911 Emergency	)	
Calling Systems	)	

**Comments of  
the Consumer Action Network**

The Consumer Action Network (CAN) submits these comments to the Federal Communications Commission on the issue of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems. CAN, a coalition of 19 national organizations<sup>1</sup> of, by, and for deaf and hard of hearing people, addresses advocacy and legislative issues important to our constituency. Such issues include protecting the rights of deaf and hard of hearing persons, improving quality of life, empowering consumer leadership and self-representation, and ensuring equal access to education, employment, communication, technology, and community life.

CAN thanks the Federal Communications Commission for its commitment to access for all Americans and for the opportunity to comment on this important issue.

CAN opposes the request for reconsideration of the Federal Communications rule that covered wireless carriers must transmit tty calls to 911 service within one year after the effective date of the rule. Compatibility of Wireless Services With Enhanced 911 Report and Order, 61 Federal Register 40348-40352 (to be codified at 47 CFR Part 20). We support the

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<sup>1</sup>Please see signature page for a list of CAN members.

position of the Texas Advisory Commission. Texas Advisory Commission  
Opposition and Response to Petitions for Reconsideration.

Section 20.18(c) of the FCC rules requires that:

As of [one year after the effective date of the rule] licensees subject to this section must be capable of transmitting 911 calls from individuals with speech or hearing disabilities through means other than mobile radio handsets, e.g., through the use of Text Telephone Devices.

Omnipoint suggests that the rule should be modified to say:

As of [one year after the effective date of the rule] licensees subject to this section must be capable of transmitting 911 calls from individuals with speech or hearing disabilities through means other than normal speech over a mobile radio handsets, [e.g., through the use of Text Telephone Devices.] Acceptable methods of demonstrating compliance with this requirement include handset keypad-originated text messages or data services compliant with international standards. To the extent reasonably feasible with the technology implemented by the operator, analog TTY service shall also be supported.

Petition for Reconsideration and Clarification of Omnipoint  
Communications, Inc. at p.8-9.

The Texas Advisory Commission is correct in stating that Omnipoint's proposed modification would "water down the tty requirement as to no longer make it a requirement." Texas Advisory Commission at 10. The language "[t]o the extent reasonably feasible with the technology implemented by the operator" allows the operator to decide whether it is going to comply or not, even in cases where compliance is "readily achievable."

The "acceptable methods of demonstrating compliance" phrase suggests that use of handset keypad-originated text messages is an appropriate alternative. It is not. As Omnipoint points out, this involves, pressing certain keys a specified number of times to create a letter. For example,

"pressing the '2' key once give the letter 'A,'" and pressing it twice gives the letter 'B.'" Omnipoint at 14. In an emergency situation, very few callers would be able to maintain the level of concentration needed to complete a call this way. Second, in an emergency situation, seconds count. Typing a message this way would take an inordinate amount of time. Third, in an emergency situation the caller may not even have the opportunity to type a message this way. The caller may need to be watching or addressing the situation around him or her. Deaf and hard of hearing people cannot assess a situation without using their eyes. While one can type on a tty without looking at the keyboard, punching letters on the keypad in this manner would be impossible.

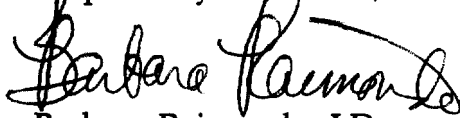
"Technology implemented by the operator" again effectively gives the operator the choice of whether or not to comply. Compliance would depend on the network's preferred specifications, even if the use of other specifications was "readily achievable."

The Personal Communications Industry Association (PCIA) asks for more time to resolve the technical issues involved. Petition for Reconsideration, PCIA at 11. The Notice of Proposed Rulemaking on this came out in November of 1994. Covered carriers have been on notice for two years of this rule. We believe that the Federal Communications Commission should encourage the industry to work quickly to resolve any outstanding technical issues, rather than allow the industry more time.

Finally, millions of Americans have purchased cellular phones in large part because they are a relatively inexpensive way to call for help in an emergency. Enhanced 911 service through wireless services for hearing callers will improve safety for hearing callers. Deaf and hard of hearing callers deserve no less.

For the foregoing reasons, the Commission should deny the petitions  
for reconsideration on these issues.

Respectfully submitted,



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